

By: Farrar

H.B. No. 234

Substitute the following for H.B. No. 234:

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C.S.H.B. No. 234

A BILL TO BE ENTITLED

AN ACT

relating to certain costs associated with court proceedings for
cruelly treated animals; authorizing fees and costs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 821.023(e), Health and Safety Code, is
amended to read as follows:

(e) After a court finds that an animal's owner has cruelly
treated the animal, the court may order the owner to pay the
county's or municipality's reasonable attorney's fees, and shall
order the owner to pay all court costs, including:

(1) the administrative costs of:

(A) investigation;

(B) expert witnesses; and

(C) conducting any public sale ordered by the
court; and

(2) the costs incurred by a municipal or county animal
shelter or a nonprofit animal welfare organization in:

(A) housing and caring for the animal during its
impoundment; and

(B) humanely destroying the animal if
destruction is ordered by the court.

SECTION 2. Section 821.025, Health and Safety Code, is
amended by adding Subsection (i) to read as follows:

(i) After a county court or county court at law finds that an

1 animal's owner has cruelly treated the animal, the court may order
2 the owner to pay the county's or municipality's reasonable
3 attorney's fees and court costs, including the costs of
4 investigation and expert witnesses.

5 SECTION 3. Section 103.0214, Government Code, is amended to
6 read as follows:

7 Sec. 103.0214. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
8 CIVIL CASES: HEALTH AND SAFETY CODE. An accused or defendant, or a
9 party to a civil suit, as applicable, shall pay the following fees
10 and costs under the Health and Safety Code if ordered by the court
11 or otherwise required:

12 (1) a fee to defray the cost of notifying state
13 agencies of orders of expungement (Sec. 161.255, Health and Safety
14 Code) . . . \$30 per application; and

15 (2) on a finding that an animal's owner has cruelly
16 treated the animal, court costs including:

17 (A) investigation (Secs. [~~Sec.~~] 821.023 and
18 821.025, Health and Safety Code) . . . actual costs;

19 (B) expert witnesses (Secs. [~~Sec.~~] 821.023 and
20 821.025, Health and Safety Code) . . . actual costs;

21 (C) housing and caring for the animal during its
22 impoundment (Sec. 821.023, Health and Safety Code) . . . actual
23 costs;

24 (D) conducting any public sale ordered by the
25 court (Sec. 821.023, Health and Safety Code) . . . actual costs;
26 [~~and~~]

27 (E) humanely destroying the animal if

1 destruction is ordered by the court (Sec. 821.023, Health and
2 Safety Code) . . . actual costs; and
3 (F) reasonable attorney's fees (Secs. 821.023
4 and 821.025, Health and Safety Code) . . . actual costs.

5 SECTION 4. The change in law made by this Act applies only
6 to a proceeding commenced under Section 821.023 or 821.025, Health
7 and Safety Code, on or after the effective date of this Act. A
8 proceeding commenced before the effective date of this Act is
9 governed by the law as it existed at the time the proceeding was
10 commenced, and the former law is continued in effect for that
11 purpose.

12 SECTION 5. This Act takes effect September 1, 2015.